

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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LARRY RUSH,	:	
	:	Civil Action No. 08-4843
Petitioner,	:	CAPITAL CASE
v.	:	
	:	<b>ORDER</b>
JEFFREY BEARD, <i>et al.</i> ,	:	
	:	
Respondents.	:	
	:	

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For the reasons stated in the accompanying Opinion filed herewith:

**IT IS** therefore on this 1st day of **August 2018**,

**ORDERED** that Grounds Two (a) and (b), Three, Six, Seven, Eight, Ten, Eleven, Thirteen, Fourteen, Fifteen and Sixteen of the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (ECF No. 1-1) are dismissed with prejudice as procedurally defaulted; Ground Thirteen is alternatively denied on the merits; and it is further

**ORDERED** that Grounds One and Four are denied on the merits; and it is further

**ORDERED** that Ground Nine is held in abeyance pending an evidentiary hearing pursuant to 28 U.S.C. § 2254(e)(2); and it is further

**ORDERED** that a pre-hearing telephone conference call will be held with counsel on September 25, 2018, at 11:00 a.m., to determine the logistics of the evidentiary hearing, which will be held before the undersigned in the Eastern District of Pennsylvania.

s/ Joseph H. Rodriguez  
JOSEPH H. RODRIGUEZ  
United States District Judge